IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Crl.Rev.Pet.No. 1054 of 2003()

CRA.35/2001 of ADDL.SESSIONS COURT, KOTTAYAM
CC.283/1997 of JUDL.MAGISTRATE OF FIRST CLASS-III, KOTTAYAM

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REVN. PETITIONER: APPELLANT/ACCUSED

RAJAN THOMAS S/O. CHACKO THOMAS,
THONDUKANDATHIL HOUSE, PROPRIETOR,
ST.THOMAS CHITTY FUNDS, T.B. ROAD, KOTTAYAM-1

BY ADV. SRI.SATHISH NINAN

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE

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1. K.S.CHACKO KADUPIL HOUSE,
SOUTH PAMPADY P.O., KOTTAYAM

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.LIJI.J.VADAKEDOM

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 1054 of 2003

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Dated: 20-11-2007

ORDER

The accused in C.C. No. 283 of 1997 on th**e file** of the J.F.C.M-III, Kottayam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11921 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No. 1054 of 2003

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Dated: 20-11-2007

ORDER

V. RAMKUMAR, J.

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Crl.M.A. No. 7961 of 2007
in Crl.R.P. No. 1054 of 2003
& Crl.M.A.No. 7960 of 2007
in Crl.R.P. 1056 of 2003

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Dated, this the 20th day of July 2007

ORDER

The common petitioner in these petitions is the common accused in C.C. 283/1996 and C.C. 284 of 1997 on the file of the J.F.C.M-II, Kottayam seeks his enlargement on bail in each of these cases. The sentence imposed on him by the lower appellate court has been suspended in each of these cases. I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 5,000/- (Rupees five thousand) in each of the cases, with two solvent sureties each for the like amount to the satisfaction of the trial court.

V. RAMKUMAR,
(JUDGE)

handover.

ani.

V. RAMKUMAR, J.

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Crl.M.A. No. 7961 of 2007
in Crl.R.P. No. 1054 of 2003
& Crl.M.A.No. 7960 of 2007
in Crl.R.P. 1056 of 2003

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Dated, this the 20th day of July 2007

ORDER